

JUDGE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELMER JAY CLARK,

Defendant.

NO. CR 05-289 Z

ORDER GRANTING  
STIPULATION TO CONTINUE  
PRETRIAL MOTIONS DUE DATE AND  
TRIAL DATE

THE COURT having considered the stipulation of the parties, the records and files herein, including, but not limited to the Defendant's agreement to extend the time for trial, and hereby makes the following findings of fact:

1. The Court finds that a failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, within the meaning of 18 U.S.C. § 3161(h)(8)(B)(ii).

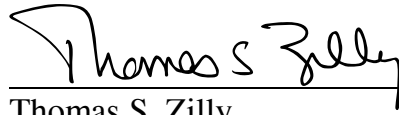
2. The Court further finds that the ends of justice will be served by ordering a continuance in this case and that a continuance is necessary to insure effective trial preparation and that these factors outweigh the best interests of the public in a more speedy trial within the meaning of 18 U.S.C. § 3161(h)(8)(A).

1 IT IS THEREFORE ORDERED that the time within which pretrial motions must be filed  
2 in this case is extended from September 16, 2005 to October 28, 2005.

3 IT IS FURTHER ORDERED that the trial date be continued from October 3, 2005, to  
4 December 5, 2005.

5 IT IS FURTHER ORDERED that the period of time from the current trial date of October  
6 3, 2005, up to and including the new proposed trial date of December 5, 2005, shall be excludable  
7 time pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161, *et. seq.*

8 DONE this 13th day of September, 2005.

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10   
11 Thomas S. Zilly  
12 United States District Judge

13 Presented by:

14 s/ Jennifer E. Wellman  
15 WSBA No. 29193  
16 Attorney for Elmer Jay Clark  
17 Federal Public Defender's Office  
18 1601 Fifth Avenue, Suite 700  
19 Seattle, WA 98101  
20 Phone: (206) 553-1100  
21 Fax: (206) 553-0120  
22 jennifer\_wellman@fd.org

23 s/ Andrew Colasurdo  
24 Assistant United States Attorney  
25 *Telephonic Approval*  
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